

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 NSCE-00 INRE-00 USIE-00

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O R 151505Z SEP 75

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 737

INFO USCINCEUR

CINCUSAFE

AMEMBASSY ATHENS

AMEMBASSY LONDON

AMEMBASSY NICOSIA

USMISSION NATO

USMISSION USUN

USNMR SHAPE

AMCONSUL ADANA

AMCONSUL ISTNABUL

AMCONSUL IZMIR

SECDEF WASHDC

DIRNSA WASHDC

USDOCOSOUTH NAPLES

CINCUSNAVEUR LONDON

USDOCOLANDSOUTHEAST IZMIR

C O N F I D E N T I A L WNKARA 7074

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TAGS: MOPS, MARR, PFOR, TU

SUBJECT: GOT RESTRICTIONS ON U.S. MILITARY ACTIVITIES

REF: A. STATE 198867 DTG 211755Z AUG 75

B. ANKARA 6537 DTG 221323Z AUG 75

C. ANKARA 6583 DTG 251355Z AUG 75

D. ANKARA 6736 DTG 021255Z SEP 75

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1. FOLLOWING IS TEXT OF NOTE (NUMBER 4205) DATED
SEPTEMBER 15, 1975, FROM MINISTRYHOF FOREIGN AFFIARS
IN RESPONSE TO EMBASSY AUGUST 25 NOTE (REF C).
EMBASSY COMMENT WILL FOLLOW SEPTTEL.

2. BEGIN TEXT OF NOTE:

THE MINISTRY OF FOREIGN AFFIARS PRESENTS ITS COMPLIMENTS
TO THE EMBASSY OF THE UNITED STATES OF AMERICA AND WITH
REFERENCE TO THE EMBASSY'S NOTE OF AUGUST 25, 1975,
NO. 447, HAS THE HONOUR TO STATE THE FOLLOWING:

A) THE VIEW OF THE GOVERNMENT OF TURKEY WITH
REGARD TO THE LEGAL STATUS OF THE DEFENCE COOPERATION
AGREEMENT OF JULY 3, 1969 AND RELATED AGREEMENTS HAVE
BEEN EXPOUNDED IN DETAIL IN THE MINISTRY'S NOTE OF
SEPT. 1, 1975, NO. 3932 (REF D).

B) THE PROVISIONAL STATUS APPLIED TO U.S. FORCE IN
TURKEY IS BASED UPON THE PROVISIONS OF THE NATO/SOFA
AGREEMENT DULY APPROVED BY THE NORTH ATLANTIC COUNCIL.
THE PROVISIONS OF THIS AGREEMENT HAVE NOT SO FAR BEEN
CHALLENGED BY ANY MEMBER COUNTRY AS CREATING
SERIOUS HARDSHIPS TO THOSE COVERED BY THE SAID
AGREEMENT. AS STATED IN THE EMBASSY'S NOTE, THE
TURKISH GOVERNMENT HAS NO DESIRE TO CAUSE PERSONAL
HARDSHIPS TO UNITED STATES FORCES PERSONNEL AND WHERE UN-
INTENTIONAL GENUINE DIFFICULTIES MAY EXIST IT IS READY
TO ELIMINATE THEM. BUT IT CAN NOT ACCEPT THE VIEW
THAT THE IMPLEMENTATION OF THE PROVISIONAL STATUS BASED ON
THE PROVISIONS OF THE NATO/SOFA AGREEMENT CAN BE
CONSIDERED AS CREATING SERIOUS DIFFICULTIES IN VIEW OF THE
FACT THAT THE PURPOSE OF THIS AGREEMENT WAS TO CREATE
FACILITIES FOR THE MEMBERS OF THE ALLIED FORCES STATIONED
IN OTHER MEMBER COUNTRIES. THE TURKISH GOVERNMENT
CAN NOT REASONABLY AND FAIRLY BE EXPECTED TO CONTINUE
TO PROVIDE
TO U.S. PERSONNEL SPECIAL ADDITIONAL PRIVILEGES
WHEN IT IS BEING SUBJECTED TO A DELIBERATELY HOSTILE
TREATMENT BY THE UNITED STATES SUCH AS THE ARMS EMBARGO
HARDLY COMPATIBLE BETWEEN TWO COUNTRIES HAVING NORMAL
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RELATIONS, LET ALONE BETWEEN TWO ALLIES WHO HAD CLOSE
COOPERATION DURING THE LAST THREE DECADES. IT IS
SUCH AN OPENLY HOSTILE ATTITUDE THAT MAY HAVE
UNDESIRABLE CONSEQUENCES AND NOT THE RESTRAINED
ATTITUDE OF THE GOVERNMENT OF TURKEY WHICH STILL
CONTINUES TO CONSIDER THE U.S. FORCE PRESENT IN TURKEY
AS GUEST MEMBERS OF A FRIENDLY AND ALLIED COUNTRY.

C) THE U.S. EMBASSY IS, NO DOUBT, AWARE THAT NATO/SOFA IS APPLICABLE TO MEMBERS OF AN ALLIED COUNTRY'S FORCE STATIONED ON THE TERRITORY OF A RECEIVING STATE ON AN AGREED MISSION. THE GOVERNMENT OF TURKEY IS PREPARED TO CONSIDER WITHIN THE ABOVE FRAMEWORK REQUESTS FOR RESOLVING LOCALISED DIFFICULTIES WHICH MAY BE ENCOUNTERED IN THIS REGARD.

D) THE IMPORTATION OF CONSTRUCTION MATERIAL FOR THE U.S. FORCE IN TURKEY IS BEING CONSIDERED WITHIN THE FRAMEWORK OF THE NATO/SOFA AGREEMENT. HOWEVER, THE MINISTRY WISHES TO INFORM THE EMBASSY ONCE MORE THAT THE TURKISH GOVERNMENT DOES NOT CONSIDER ITSELF BOUND BY THE PROVISIONS OF THE 1954 TAX RELIEF AGREEMENT FOR REASONS PREVIOUSLY EXPLAINED.

COMPLIMENTARY CLOSE.
MACOMBER

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